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v.

UNITED STATES OF AMERICA,

Respondent.

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UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

CARLYLE LEE COLE, Case No. 1:21-cv-00269-HBK

> Petitioner, ORDER TRANSFERRING CASE TO THE

> > (Doc. No. 1)

CENTRAL DISTRICT OF CALIFORNIA

Petitioner is proceeding on his petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2241. (Doc. No. 1). Petitioner, a prisoner incarcerated in Santa Barbara County, which is located within the jurisdiction and venue of the Western Division of the United States District Court for the Central District of California, challenges his February 24, 2014 federal sentence and conviction entered by the Fresno Division of this Court.

Here, Petitioner brings his claims under § 2241, pursuant to the savings clause of § 2255. "[A] habeas petition filed pursuant to § 2241 must be heard in the custodial court . . . even if the § 2241 petition contests the legality of a sentence by falling under the savings clause." Hernandez v. Campbell, 204 F.3d 861, 865 (9th Cir. 2000). Thus, the Court finds in its discretion "and in furtherance of justice" that the petition should be transferred to the Central District of California. 28 U.S.C. §§ 1404(a), 2241(d).

	Case 1:21-cv-00269-HBK Document 2 Filed 03/04/21 Page 2 of 2
1	Accordingly,
2	1. The Obel challenge for this action to the Haited Green District Court for the Court District
3	The Clerk shall transfer this action to the United States District Court for the Central District of Colifornia, Western Division; and
4	of California, Western Division; and 2. All future filings shall reference the new case number assigned and shall be filed at:
5	2. An future mings shall reference the new case number assigned and shall be med at.
6	United States District Court Central District of California
7	Western Division 255 East Temple Street
8	Los Angeles, CA 90012-3332
9	IT IS SO ORDERED.
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11	Dated: March 3, 2021 Alla M. Barch - Factor
12 13	HELENA M. BARCH-KUCHTA UNITED STATES MAGISTRATE JUDGE
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